

## REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 8 and 9 are requested to be cancelled without prejudice or disclaimer.

Claims 7 and 10 are currently being amended.

Claims 11-13 are being added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-7 and 10-13 are now pending in this application.

### Allowed Claims

Applicant appreciates the allowance of claims 1-6 and 10. Applicant has amended claim 10 to more clearly recite the invention. Amended claim 10 remains allowable for at least the reasons indicated by the Examiner in the Office Action.

### Rejections under 35 U.S.C. § 112

Claim 8 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant has canceled claim 8 without prejudice or disclaimer. The rejection of claim 8 is, therefore, moot.

### Rejections under 35 U.S.C. § 102

Claims 7 and 8 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by (3GPP TS 25-346, V1.1.0(2002-5)). As to canceled claim 8, the rejection is moot. As to claim 7, Applicant respectfully traverses the rejection for at least the following reasons.

In allowing claims 1-6 and 10, the Examiner acknowledges that the “Examiner fails to find a prior art to overcome” the limitation wherein “establishing a user equipment specific multicast/broadcast service context ... is capable of being effected upon a different time from the controlling device multicast/broadcast service context establishing procedure.” Applicant has amended claim 7 to recite a similar feature. Specifically, amended claim 7 now recites “a second controller adapted to establish a user equipment specific multicast/broadcast service context at a different time from the establishing the multicast/broadcast service context of the controlling device.” Thus, claim 7 is patentable.

#### Rejections under 35 U.S.C. § 103

Claim 9 was rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over (3GPP TS 25-346, V1.1.0(2002-5)) in view of U.S. Patent Publication No. 2004/0203756 to Lin. Applicant has canceled claim 9 without prejudice or disclaimer. The rejection of claim 9 is, therefore, moot.

#### New claims

New claims 11-13 recite additional aspects of the invention. Support for the subject matter of claims 11-13 is found in the originally filed specification, claims and figures. Thus, no new matter is added. Further, claims 11 and 12 each recite a component “adapted to establish a user equipment specific multicast/broadcast service context at a different time” from establishing of the multicast/broadcast service context for the controller or the controlling device of the radio network. Similarly, claim 13 recites “computer code for establishing a user equipment specific multicast/broadcast service context by the serving device of the core network, wherein this establishing procedure is capable of being effected at a different time from the controlling device multicast/broadcast service context establishing procedure.” Accordingly, claims 11-13 are also patentable.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Respectfully submitted,

Date: November 13, 2006

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